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APPENDIX

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MICHAEL RODAK, JR.

In the Supreme Court
OF THE
United States
OCTOBER TERM, 1973

No. 72-1076

WILLIAM C. HOUGHTON, *Petitioner*,

vs.

UNITED STATES OF AMERICA, *Respondent*.

On Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit

Petition for Certiorari Filed February 5, 1973
Certiorari Granted April 16, 1973

In the Supreme Court

OF THE

United States

OCTOBER TERM, 1973

No. 72-1076

WILLIAM C. HUDDLESTON, *Petitioner*,

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CHRONOLOGICAL LIST OF RELEVANT DOCKET ENTRIES

July 24, 1972.	Indictment filed.
August 7, 1972.	Appointment of Counsel.
August 30, 1972.	Defendant's Motion to Dismiss and Brief filed.
September 6, 1972.	Statements of Government Witnesses filed in Camera.
September 8, 1972.	Government's Trial Memorandum filed.
September 8, 1972.	Government's Opposition to Motion to Dismiss filed.
September 8, 1972.	Defendant's Supplemental Brief in Support of Motion to Dismiss filed.
September 12, 1972.	Defendant's Motion to Dismiss Denied.
September 12, 1972.	Defendant Pleads Not Guilty; Moves to Suppress Evidence, and Waives Jury Trial.
September 13, 1972.	Defendant's Motion to Suppress Denied.
September 13, 1972.	Court Trial.
September 13, 1972.	Defendant Found Guilty and Sentenced.
September 14, 1972.	Notice of Appeal filed.
September 21, 1972.	Third Party Surety Bail of $1,500 Posted.
November 8, 1972.	Appeal Brief of Appellant filed.
November 30, 1972.	Appeal Brief of Appellee filed.
January 8, 1973.	Judgment of Affirmance Entered.
January 8, 1973.	Opinion of Court of Appeals filed.
January 8, 1973.	Concurring and Dissenting Opinion of Judge Chambers filed.
February 5, 1973.	Petition for Writ of Certiorari of Defendant filed.
February 7, 1973.	Order Staying Issuance of Mandate filed.
March ..., 1973.	Brief for the United States in Opposition to Petition for Writ of Certiorari filed.
April 16, 1973.	Petition for a Writ of Certiorari Granted.

United States District Court

For The

Central District of California

March 1972

United States of America, *Plaintiff,*	*Grand Jury* *NO. 1076CD* *INDICTMENT* *[18 U.S.C. §922(a)(6); Illegal Acquisition of Firearm]*
v.	
William Carroll Huddleston, *Defendant.*	

The Grand Jury charges:

COUNT ONE

[18 U.S.C. §922(a)(6)]

On or about February 11, 1972, in the Central District of California, defendant WILLIAM CARROLL HUDDLESTON, in connection with the acquisition of a firearm from a licensed dealer in firearms, wilfully and knowingly made a false and fictitious statement, likely to deceive such dealer with respect to a material fact as to the lawfulness of the sale of such firearm pursuant to Chapter 44, Title 18, United States Code, in that he answered "no" to question 8b of Form 4473 which asked the question, "Have you been convicted in any court of a crime punishable by imprisonment for a term exceeding one year?", knowing that he had been convicted of a felony, in violation of Sections 922(a)(6) and 924(a), Title 18, United States Code.

COUNT TWO

[18 U.S.C. §922(a)(6)]

On or about March 10, 1972, in the Central District of California, defendant WILLIAM CARROLL HUDDLESTON, in connection with the acquisition of a firearm from a licensed dealer in firearms, wilfully and knowingly made

a false and fictitious statement, likely to deceive such dealer with respect to a material fact as to the lawfulness of the sale of such firearm pursuant to Chapter 44, Title 18, United States Code, in that he answered "no" to question 8b of Form 4473, which asked the question, "Have you been convicted in any court of a crime punishable by imprisonment for a term exceeding one year?", knowing that he had been convicted of a felony, in violation of Section 922(a)(6) and 924(a), Title 18, United States Code.

COUNT THREE
[18 U.S.C. §922(a)(6)]

On or about March 10, 1972, in the Central District of California, defendant WILLIAM CARROLL HUTTON, in connection with the acquisition of a firearm from a licensed dealer in firearms, wilfully and knowingly made a false and fictitious statement, likely to deceive such dealer with respect to a material fact as to the lawfulness of the sale of such firearm pursuant to Chapter 44, Title 18, United States Code, in that he answered "no" to question 8b of Form 4473, which asked the question, "Have you been convicted in any court of a crime punishable by imprisonment for a term exceeding one year?, knowing that he had been convicted of a felony, in violation of Section 922(a)(6) and 924(a), Title 18, United States Code.

A TRUE BILL

_____
Foreman

WILLIAM D. KEITH
WILLIAM D. KEITH
United States Attorney

I hereby attest and certify on October 12, 1972, that the foregoing document is a xxxxxxxxxxxxxxxxxxxxxxxxxxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx

By E. RALPH

CRIMINAL MINUTES — GENERAL

Case No. 10760-Crim. Date 9/12/72

DOCKET ENTRY:

Ord deft's mot to dismiss denied. Deft pleads not guilty Cnts 1, 2, 3. Deft moves to suppress evid. Ord matter cont'd to 9/13/72, 1:30 P.M. for hrg mot to suppress & for Ct trial. Fld waiver of jury trial (R)

PRESENT: Hon. Manuel L. Real, Judge

Tamara Saunders	*Florence Garcia*	*Lawrence Campbell*
Deputy Clerk	Court Reporter	Asst. U.S. Attorney

U.S.A. v. (DEFENDANTS LISTED BELOW)	ATTORNEYS FOR DEFENDANTS
(1) William Carroll Hubbleston X present ___ custody X bond ___ O/R	(1) Harvey Rafkershein, appid X present X appointed ___ retained
(2) ___ present ___ custody ___ bond ___ O/R	(2) ___ present ___ appointed ___ retained
(3) ___ present ___ custody ___ bond ___ O/R	(3) ___ present ___ appointed ___ retained
(4) ___ present ___ custody ___ bond ___ O/R	(4) ___ present ___ appointed ___ retained

PROCEEDINGS:

as above.

MINUTES FORM 6
CRIM.—GEN D — M Initials of Deputy Clerk JC

RELEVANT PORTIONS OF TRANSCRIPT OF TRIAL OF SEPTEMBER 18, 1972

* * *

Page 17, line 11 to Page 25, line 24

MR. CAMPBELL: The government would call as its first witness Mr. David D. Reckard.

DAVID D. RECKARD,

called as a witness by the government, having been first duly sworn, was examined and testified as follows:

THE CLERK: Please take the stand.
State your true and correct name.

THE WITNESS: David D. Reckard, R-e-c-k-a-r-d.

THE CLERK: Thank you.

DIRECT EXAMINATION

By MR. CAMPBELL:

Q. Mr. Reckard, what is your occupation?

A. I am a special agent for the United States Treasury Department, Bureau of Alcohol, Tobacco and Firearms.

Q. Where are you presently stationed?

A. Oxnard, California.

Q. Do you know the defendant in this case?

A. I do.

Q. How do you know the defendant?

A. I had cause to arrest him on June 7, 1972, for violation of 922(a)(6) of the Gun Control Act.

Q. Mr. Reckard, with regard to that arrest would you tell me the surrounding circumstances?

A. I obtained an arrest warrant and Special Agent Smith and myself went to Mr. Huddleston's place of em-

ployment at the Dietrich Body Shop in Ventura, California, and placed Mr. Huddleston under arrest. Then we put him in the back seat of the car where we had him handcuffed and put him in the back seat and fastened the seat belt around him.

The first thing that I did after I had him in the car was I read him our rights using our IIIS form 5661 which is the statement of rights card.

We proceeded from the Dietrich Body Shop to the Ventura Police Department where after we got to the Ventura Police Department I showed him the form 4473 that I picked up ---

MR. SAFERSTEIN: Your Honor, at this point I would like to object and take Mr. Reckard on voir dire and also bring my witnesses in on the Jackson v. Denno problem.

THE COURT: All right.

VOIR DIRE EXAMINATION

BY MR. SAFERSTEIN:

Q. Mr. Reckard, you have indicated partially in your testimony here and prior I believe to the United States Attorney, Mr. Campbell, that Mr. Huddleston made certain statements to you after you arrested him, is that correct?

A. That is correct.

Q. Where did Mr. Huddleston make these statements?

A. He made these statements at various places. He made them on the route from Ventura County Sheriff's office to Ventura. The ones that -- some of them, some of them he made while I was questioning him at the Ventura Police Department. Some of them he made while we were returning from Santa Barbara to Ventura.

He repeated these statements to me so you have to ask me which one you are talking about and when.